

## REMARKS

In response to the Advisory Action mailed September 8, 2010, the Assignee respectfully requests reconsideration. To further the prosecution of this application, each of the objections and rejections set forth in the Office Action has been carefully considered and is addressed below. The application as presented is believed to be in allowable condition.

### I. Summary of Telephone Conference with Examiner

The Assignee's representatives Daniel T. Wehner and Richard F. Giunta thank Examiner Pullias for the courtesies extended in granting and conducting a telephone interview on September 20, 2010, the substance of which is summarized herein. During the telephone interview, independent claim 1 and the cited references Lewis and Friedland were discussed. Specifically, the processes for generating lists of alternate words for correction of automatic speech recognition results in the systems of Lewis and Friedland were discussed in view of the limitation of previously pending claim 1 that recited, "update the list of alternatives for at least some of the plurality of entries in the lexicon of alternatives displayed for a particular individual word part, word, and/or word sequence based, at least in part, on a number of times that the correction device previously corrected the particular individual word part, word, and/or word sequence."

Assignee's representatives asked the Examiner to clarify how he believed the purported combination of Mishelevich, Lewis, and Friedland teaches the above-quoted limitation of claim 1. The Examiner explained that he was interpreting the claim language "update the list of alternatives ... based, at least in part, ***on a number of times*** that the correction device previously corrected ..." (emphasis added) to read on the teaching at col. 6, lines 19-24 of Lewis that allegedly teaches that a correct word or replacement text which a user previously selected may be added to a list of alternate words presented to a user. The Examiner suggested amending claim 1 to recite updating the list of alternatives based, at least in part, on whether the correction device has previously corrected a particular word multiple (i.e., at least two) times. The Examiner indicated that such an amendment would distinguish over Lewis and would be supported at least by page 10, lines 5-18 of the specification as originally filed. Claim 1 has been amended herein to adopt the Examiner's suggestion to advance prosecution of the application.

The Examiner also questioned whether the above-quoted claim language of claim 1 prior to the amendment herein read on the alleged teaching at col. 7, lines 10-25 of Friedland that the contents of an exclusion list, which is used when automatically selecting a recognition result for a re-dictated word, change depending on previous misrecognition of the word being re-dictated. The Examiner suggested amending claim 1 to distinguish between the system of Friedland, which prevents previous misrecognition from being automatically selected by the system of Friedland and a correction device in accordance with some embodiments of the present invention that considers previous corrections selected by a user. The Examiner indicated that such an amendment would distinguish over Friedland. Claim 1 has been amended herein to adopt the Examiner's suggestion to advance prosecution of the application.

## II. Rejections Under 35 U.S.C. §103

The Advisory Action indicates that claims 1-8, 13, 14, and 17 (including independent claims 1, 2, and 7) stand rejected under 35 U.S.C. §103(a) as purportedly being obvious over International Patent Application Publication No. WO 01/31634 ("Mishelevich") in view of U.S. Patent No. 6,314,397 ("Lewis") and U.S. Patent No. 6,374,214 ("Friedland"). In view of the amendments herein, the Assignee respectfully requests reconsideration.

### A. Overview of Some Embodiments

Speech recognition and correction systems operate to transcribe spoken text into recognized text and some systems recognize and correct errors within words and word sequences during transcription (Specification, page 1, lines 15-17). The specification evidences an appreciation that such systems may be improved by storing a lexicon of alternatives on a correction device, such that the correction of texts recognized by a speech recognition system can be carried out in a more simple and rapid manner (Specification, page 3, lines 32-34). Entries in the lexicon of alternatives are created at least in part from sources of knowledge that are independent from the transcription performed by the speech recognition device (Specification, page 4, lines 5-8). Furthermore, the contents of at least some of the entries in the lexicon of alternatives are updated based on at least one previous correction made by the correction device (Specification, page 6, lines 5-7). For example, the number of times that a text element is replaced by another element, or the phonetic

similarity of a text element and its replacement during a previous correction may be used to update the contents of one or more entries in the lexicon of alternatives (Specification, page 10, lines 8-24).

The foregoing summary is provided to assist the Examiner in appreciating some applications for various aspects of the invention. However, this summary may not apply to each of the independent claims, and the language of the independent claims may differ in material respects from the summary provided above. Thus, the Assignee respectfully requests that careful consideration be given to the language of each of the independent claims and that each be addressed on its own merits, without relying on the summary provided above. In this respect, the Assignee does not rely on the summary provided above to distinguish any of the claims over the prior art. Rather, the Assignee relies only upon the arguments provided below.

B. The Purported Combination of Mishelevich, Lewis, and Friedland Fails to Disclose or Suggest All Limitations of Any of Independent Claims 1, 2, and 7

*i. Independent Claim 1*

Claim 1 includes limitations that recite, “... a correction device configured to ... update the list of alternatives for at least some of the plurality of entries in the lexicon of alternatives displayed for a particular individual word part, word, and/or word sequence based, at least in part, on a number of times that the correction device previously corrected the particular individual word part, word, and/or word sequence **with a text element replacement selected by a user, wherein the list of alternatives is updated only when the number of times is at least two times.** (emphasis added).” Neither Mishelevich, Lewis, nor Friedland discloses or suggests the above-highlighted limitations of claim 1.

The Office Action asserts that col. 6, lines 16-24 of Lewis discloses a list of alternatives that is updated, at least in part on whether the correction device previously corrected a particular word (Office Action, page 3). However, as discussed during the telephone conference, in updating a list of alternatives, the system of Lewis does not update the list only when a number of times is at least two times, as recited in claim 1. Rather, the system of Lewis merely considers whether a word was previously corrected and does not consider a number of times that the word was previously corrected.

The Office Action also asserts that col. 7, lines 10-25 and Fig. 5 of Friedland teaches updating a list of alternatives based, at least in part, on a number of times that the correction device previously corrected the word (Office Action, page 4). As discussed during the telephone conference, the system of Friedland does not present a list of alternatives to a user to enable a user to select one of the alternatives. Rather, the system of Friedland automatically selects a recognition result based on competing hypotheses determined for a re-dictated word (Friedland, col. 5, lines 59-60). Claim 1 has been amended to recite, *inter alia*, “update the list of alternatives ... based, at least in part, on a number of times that the correction device previously corrected the particular individual word part, word, and/or word sequence **with a text element replacement selected by a user** (emphasis added).”

As should be appreciated from the foregoing, the list of alternate text selections in the system of Friedland is not updated based, at least in part, on a number of times that the correction device previously corrected the particular individual word part, word, and/or word sequence **with a text element replacement selected by a user** because a user does not select text element replacements in the system of Friedland.

For at least these reasons, claim 1 patentably distinguishes over the combination of Mishelevich, Lewis, and Friedland and it is respectfully requested that the rejections under 35 U.S.C. §103 be withdrawn.

*ii. Independent Claim 2*

Claim 2 is directed to a correction device and recites, “...at least one processor configured to ... update the list of alternatives for at least some of the plurality of entries in the lexicon of alternatives displayed for a particular individual word part, word, and/or word sequence based, at least in part, on information about at least one previous correction made by the correction device for the particular individual word part, word, and/or word sequence **with a text element replacement selected by a user, wherein the list of alternatives is updated only when at least a predetermined degree of phonetic similarity exists between the particular individual word part, word, and/or word sequence and a text replacement in the at least one previous**

**correction** (emphasis added).” Neither Mishelevich, Lewis, nor Friedland discloses or suggests the above-highlighted limitations of claim 2.

As should be appreciated from the foregoing discussion, the system of Friedland does not update a list of alternatives based, at least in part, on information about at least one previous correction made by the correction device for the particular individual word part, word, and/or word sequence ***with a text element replacement selected by a user***, as required by claim 2. Rather, the system of Friedland automatically selects a recognition result for a re-dictated word without a selection of a text element replacement by the user.

For at least these reasons, claim 2 patentably distinguishes over the combination of Mishelevich, Lewis, and Friedland and it is respectfully requested that the rejection under 35 U.S.C. §103 be withdrawn. Claims 3-6 depend from claim 2 and are allowable for at least the same reasons.

*iii. Independent Claim 7*

Claim 7 recites, “...including the text elements that can be confused with one another as a list of alternatives in the entry of the lexicon of alternatives; wherein the list of alternatives in the entry is updated based, at least in part, on whether a **frequency of previous corrections of the recognized text with text element replacements selected by a user** is within predetermined bounds (emphasis added).”

As should be appreciated from the foregoing discussion, claim 7 patentably distinguishes over the combination of Mishelevich, Lewis, and Friedman and it is respectfully requested that the rejection under 35 U.S.C. §103 be withdrawn. Claims 8-17 depend from claim 7 and are allowable for at least the same reasons.

**II. General Comments on Dependent Claims**

Since each of the dependent claims depends from a base claim that is believed to be in condition for allowance, for the sake of brevity, the Assignee believes that it is unnecessary at this time to argue the further distinguishing features of the dependent claims. However, the Assignee does not necessarily concur with the interpretation of the previously presented dependent claims as

set forth in the Office Action, nor does the Assignee concur that the basis for rejection of any of the previously presented dependent claims is proper. Therefore, the Assignee reserves the right to specifically address the further patentability of the dependent claims in the future.

**CONCLUSION**

In view of the above amendment, the Assignee believes the pending application is in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, the Assignee hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed, or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. N0484.70060US00 from which the undersigned is authorized to draw.

Dated: 9/27/10

Respectfully submitted,

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